

**MINUTES OF THE REGULAR MEETING
OF JUNE 16, 2009
OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI**

BE IT REMEMBERED that the Mayor and Board of Aldermen of the City of Southaven, Mississippi met in Regular Session on the 16 th day of June, 2009, at six o'clock (6:00) p.m. at City Hall. Present were:

Charles G. Davis	Mayor
Greg Guy	Alderman, at Large
Lorine Cady	Alderman, Ward 1
James Stark	Alderman, Ward 2
James Loftis	Alderman, Ward 3
Paul Ollar	Alderman, Ward 4
Ricky Jobes	Alderman, Ward 5
Randall Huling	Alderman, Ward 6

Alderman Ollar was present by telecommunications. Also present were Sheila Heath, City Clerk, Whitney Choat, Planning Director, and Bradley Wallace, Director of Operations. Approximately twenty five (25) other people were present.

Mayor Davis called the meeting to order. Alderman Loftis led in prayer. Following the Pledge of Allegiance led by Sheila Heath, a motion was made by Alderman Cady to approve the minutes of June 2, 2009 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Stark. Motion passed unanimously.

Citizen's Agenda

Mayor Davis recognized Lt. Tommy Tidwell who has been with the City since October 28, 1988 and his official retirement date is June 26, 2009. He thanked him for his years of service to the citizens of Southaven. Next, he stated this is the last meeting of the current Board, so he wanted to recognize three of our Aldermen for the hard work they have done for this City and her citizens; Alderman James Loftis for his 12 years of service, Alderman James Stark for his 28 years of service (20 years as Alderman and 8 years on the license board), Alderman Paul Ollar for his 6 years of service. All were given plaques.

EMERGENCY RESOLUTION

Mayor Davis reported that he signed an Emergency Resolution at 5:30 p.m. on the 12th day of June, 2009, due to severe storms that had hit Southaven that day. This resolution is good for 7 days. It will expire at 6:30 p.m. on June 16, 2009 and another Resolution would need to go into effect at 6:30 p.m. on this date.

A motion was made by Alderman Stark to adopt the EMERGENCY RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, GRANTING MAYOR DAVIS PERMISSION TO SIGN THE EXISTENCE OF A LOCAL EMERGENCY. Motion seconded by Alderman Cady. Motion was put to a roll call vote and passed unanimously.

Roll call was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobs	Yea
Alderman Huling	Yea

A copy of the aforesaid Resolution is hereby attached to and made a part of these minutes.

Next, Alderman Guy made the motion to adopt EMERGENCY RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, GRANTING MAYOR DAVIS PERMISSION TO SIGN THE SECOND EXISTENCE OF A LOCAL EMERGENCY. TWO WHICH IT WILL EXPIRE AT 6:30 P.M. ON JUNE 23, 2009. Motion seconded by Alderman Huling. Motion was put to a roll call vote and passed unanimously.

Roll call was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobs	Yea
Alderman Huling	Yea

RESOLUTION CAP LOAN

A motion was made by Alderman Jobes to adopt a RESOLUTION TO APPROVE A LAON ON BEHALF OF CITY OF SOUTHAVEN FROM MISSISSIPPI DEVELOPMENT AUTHORITYFOR THE PURPOSE OF PURCHASING A FIRE TRUCK AND OTHER IMPROVEMENTS FOR \$1,000,000.00 AT A 2% INTEREST RATE. Motion was seconded by Alderman Guy. No discussion.

Motion was put to a roll call vote and passed unanimously.

Roll call vote was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Ollar	Yea
Alderman Jobes	Yea
Alderman Huling	Yea

A copy of aforesaid Amendment is hereby attached to and made a part of these minutes.

RESOLUTION CAP LOAN

A motion was made by Alderman Cady to adopt a RESOLUTION TO APPROVE A LAON ON BEHALF OF CITY OF SOUTHAVEN FROM MISSISSIPPI DEVELOPMENT AUTHORITYFOR THE PURPOSE OF CONSTRUCTION REPAIRS AND ACCESS ROADS FOR THE FIRE DEPARTMENT FOR \$1,000,000.00 AT A 2% INTEREST RATE. Motion was seconded by Alderman Huling. No discussion. Motion was put to a roll call vote and passed unanimously.

Roll call vote was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Ollar	Yea
Alderman Jobes	Yea
Alderman Huling	Yea

A copy of aforesaid Amendment is hereby attached to and made a part of these minutes.

RESOLUTION TO CHANGE ANNEXED AREA ADDRESS
RESOLUTION REQUESTING THE SOUTHAVEN
POSTMASTER TO CHANGE THE MAILING ADDRESS OF
THOSE RESIDENTS IN THE ANNEXED AREA. Alderman Guy
made the motion, Alderman Stark seconded. Motion was put to a
roll call vote and passed unanimously.

Roll call vote was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Ollar	Yea
Alderman Jobs	Yea
Alderman Huling	Yea

RESOLUTION STANDARD STATE MONETARY
ASSESSMENT

RESOLUTION OF THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI
ADOPTING STANDARD STATE MONETARY
ASSESSMENTS ESTABLISHED BY THE MISSISSIPPI STATE
LEGISLATURE EFFECTIVE JULY 1, 2009. Motion made by
Alderman Guy, Seconded by Alderman Cady. Motion was put to
a roll call vote and passed unanimously.

Roll call vote was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Ollar	Yea
Alderman Jobs	Yea
Alderman Huling	Yea

RESOLUTION TO CLEAN PRIVATE PROPERTY

A motion was made by Alderman Huling to adopt a
RESOLUTION GRANTING AUTHORITY TO CLEAN
PRIVATE PROPERTY at

322 Sandalwood Drive, 8550 Darlington Cove, 420 Bainbridge Place,
7822 Nathan Sawyer Drive, 3230 Plum Point Drive East,
8216 Mary Payton Drive, 3770 Belle Pointe Drive, 1809 Central Trails Drive,
1774 Southaven Circle North, 8481 Charleston Drive, 4870 Briarton Drive,
3022 Rosewood Drive, 4781 Rosewood Cove,
4799 Rosewood Cove, 4813 Rosewood Cove, 4798 Rosewood Cove,

4780 Rosewood Cove, 3088 Rosewood Drive, 4799 Thornbury Cove, 4813 Thornbury Cove, 4814 Thornbury Cove, 4746 Thornbury Cove, 3152 Rosewood Drive, 4763 Rosepetal Cove, 4779 Rosepetal Cove, 4799 Rosepetal Cove, 4813 Rosepetal Cove, 4812 Rosepetal Cove, 4798 Rosepetal Cove, 4780 Rosepetal Cove, 4764 Rosepetal.

The motion was made by Alderman Huling. Alderman Loftis seconded the motion. Motion was put to a roll call vote and passed unanimously.

Roll call vote was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Ollar	Yea
Alderman Jobes	Yea
Alderman Huling	Yea

MATERIALS BID UTILITY DIVISION

Mayor reported that bids were opened for material and supplies and asked to accept the recommendation of Chris Hadaway, Utility Director. Bid sheets will be inserted into the minutes. A motion was made by Alderman Cady to approve the recommendation of the Utility Director. Motion seconded by Alderman Stark. Motion was put to a vote and passed unanimously.

MUNICIPAL COMPLEX WINDOW REPLACEMENT

Next, Mayor reported that bids were opened to replace the exterior windows in the Municipal Complex (City Hall). He asked to accept the recommendation of Bradley Wallace, Director of Operations, to accept the low bid of Barnes & Brower, Inc. in the amount of \$83,608.00. This will be from the ARRA stimulus package to replace the windows with more energy efficient windows for the 2nd, 3rd, and 4th floors. A motion was made by Alderman Guy to approve the recommendation of Bradley Wallace. Motion seconded by Alderman Loftis. Motion was put to a vote and passed unanimously.

PLANNING AGENDA

Whitney Choat, City Planning Director, presented the Planning Agenda.

Item #1 Application by Phillip Vickery for a Conditional Use Permit for a motor vehicle repair shop to be located at 9240 and 9260 Highway 51. She reported that it is in compliance and we do have the stipulations that is set forth in the zoning ordinance. He is asking for a one year conditional use permit with a four year extension to be renewed annually. A motion was made by Alderman Cady to approve the recommendation of the Planning Commission on a conditional use. Motion seconded by Alderman Guy. Motion was put to a vote and passed unanimously.

MAYOR'S REPORT

Mayor reported that he would need the authority to enter into an agreement with CellularSouth to attach to one of our water towers. We have done this in the past. A motion was made by Alderman Guy. Motion seconded by Alderman Stark. Motion was put to a vote and passed unanimously.

Next Mayor reported that AT&T has signed an agreement to pay 5% franchise fee. AT&T will be coming to the area with cable TV and it is only fair that Comcast should pay that as well. A motion was made by Alderman Guy to change our franchise fee from 3% to 5% . Motion seconded by Alderman Cady. Motion was put to a vote and passed unanimously.

EMINENT DOMAIN

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI AUTHORIZING COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS FOR THE PURPOSE OF ACQUIRING EASEMENTS FOR THE STAR LANDING ROAD SEWER PROJECT. Alderman Guy made the motion. Motion was seconded by Alderman Stark. Motion was put to a roll call vote and passed unanimously.

Roll call vote was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea

Alderman Ollar	Yea
Alderman Jobs	Yea
Alderman Huling	Yea

EMINENT DOMAIN

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF SOUTHAVEN, MISSISSIPPI AUTHORIZING COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS FOR THE PURPOSE OF WIDENING STATELINE ROAD AND TCHULAHOMA ROAD AS WELL AS STATELINE ROAD AND GETWELL ROAD. Alderman Guy made the Motion. Motion was seconded by Alderman Stark. Motion was put to a roll call vote and passed unanimously.

Roll call vote was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Ollar	Yea
Alderman Jobs	Yea
Alderman Huling	Yea

END OF MAYOR'S REPORT

CITY ATTORNEY'S LEGAL UPDATE

Mark Sorrell, City Attorney reported on a claim made against the City from a Ms. Jennifer Smith from Bowling Green, KY. Ms. Smith owns rental property at 8119 Martha Ann. She states that due to construction to the permanent drainage in front of her property she is unable to get renters. She is requesting compensation in the amount of \$3,632.30. Ms. Smith did sign a drainage easement before the project started. After a short discussion Alderman Huling made the motion to deny the claim. Seconded by Alderman Guy. Motion was put to a roll call vote and passed unanimously.

CLAIMS DOCKET

A motion was made by Alderman Stark to approve the Claims Docket of June 16, 2009 including demand checks excluding voucher number's

123558, 123560, 123593, 123601-123614, 123640, 123686, 123694, 123695, 123709, 123761, 123775, 123780, 123782, 123799, 123813, 123885, 123938, 124043, 124044, 124073, 124074, 124081, 124103, 124149, 124161, 124214, 124244, 124247, 124248, 124250, 124251, 124252, 124264, 124288, 124270, 124325, 124338, 124343, 124346, 124352, 124354, 124360, 124365, 124372, 124374-124377, 124384-124442, 124447, 124449-124482

Motion seconded by Alderman Loftis. Motion was put to a roll call vote and passed unanimously.

Roll call was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobes	Yea
Alderman Huling	Yea

Mayor stated that he wants to thank this entire Board for their dedication and hard work that they have put forth this past four years for the citizens of Southaven. He also stated that he looks forward to the next four years.

There being no further business to come before the Mayor and Board of Aldermen, a motion was made by Alderman Guy to adjourn. Motion seconded by Alderman Huling. Motion was put to a vote and passed unanimously, June 16th, 2009 at 6:30 p.m.

Charles G. Davis, Mayor

Sheila Heath, City Clerk